

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|-------------------|
| Application Number | 10/713,926 |
| Filing Date | November 14, 2003 |
| First Named Inventor | Lyn Hughes |
| Art Unit | 1614 |
| Examiner Name | Phyllis Spivack |
| Attorney Docket Number | A01290C |

**RECEIVED
CENTRAL FAX CENTER****AUG 20 2007****ENCLOSURES (Check all that apply)**

| | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Requirement (2 pages) |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Rohm and Haas Company | | |
| Signature |  | | |
| Printed name | James G. Vouros | | |
| Date | August 20, 2007 | Reg. No. | 34,453 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|---|------|-----------------|
| Signature |  | | |
| Typed or printed name | Janice Soulus | Date | August 20, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

RECEIVED
CENTRAL FAX CENTER

AUG 20 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A01290C

In re application of:
Lyn Hughes

Serial No.: 10/713,926 : Group Art Unit: 1614

Filed: November 14, 2003 : Examiner: Phyllis Spivack

For: A Reduced Abuse Oral Pharmaceutical Dosage Form

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Applicants submit the following response with traverse to the Requirement for Election of Species mailed on March 19, 2007.

Applicants have been required to elect single disclosed species of a matrix polymer, an enteric polymer, a compound soluble at a pH of from 1·4, an opiate, and a plasticizer.

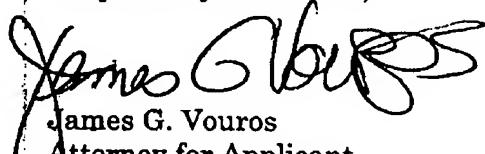
Applicants elect with traverse ethyl cellulose as the matrix polymer, hydroxypropyl methylcellulose as the enteric polymer, hydroxypropyl cellulose as the compound soluble at a pH 1·4, oxycodone as the opiate, and polyethylene glycol as the plasticizer. This election is made for all of claims 1·10.

Applicant traverses the election requirement on the grounds that there are no patently distinct species present. The invention is directed to an oral pharmaceutical dosage form; the dosage form being a core and a coating surrounding the core. The coating of the present invention is made of a variety of components. Each of those components are described generically, such as, enteric polymer and matrix polymer. Examples of each of these compounds are listed in the application. Any combination of the listed compounds will make an acceptable oral pharmaceutical dosage form of the present invention. These listed examples are not intended to be limiting. The requirement by the Examiner to specifically choose one

comound from the category of compounds Applicant has claimed in the application is unjustly and unnecessarily narrowng to the scope of the claimed invention. As aforementioned, the claimed invention can be made with any combination of compounds chosen out of the provided list. Therefore, Applicant respectfully requests tahtthe Examiner withdraw the Election requirement and proceed to examine the case on the merits.

Applicants hereby authorize the Commissioner to charge any fees which may be required or credit for overpayment for entry of this Amendment to Deposit Account No. 18-1850.

Respectfully submitted,



James G. Vouros
Attorney for Applicant
Registration No. 34,453
Telephone No.: (215) 592-2564

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399
August 20, 2007